

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

**SANOFI-AVENTIS,  
SANOFI-SYNTHELABO INC., and  
BRISTOL-MYERS SQUIBB SANOFI  
PHARMACEUTICALS HOLDING  
PARTNERSHIP,**

**Plaintiffs,**

**02-CV-2255 (SHS)**

**APOTEX INC. and APOTEX CORP.,**

## Defendants.

**FILED ELECTRONICALLY**

## NOTICE OF APPLICATION TO APPEAR *PRO HAC VICE*

To: Counsel on the Attached Service List

*PLEASE TAKE NOTICE* that, on a date to be set by the court, before the Honorable Sidney H. Stein, in the United States Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, Courtroom 23-A, Zachary Davis will request that the court enter an order permitting Joseph T. Lukens to appear as counsel *pro hac* in the above entitled matter.<sup>1</sup>

<sup>1</sup> See the [Proposed] Order Granting Application to Appear *Pro Hac Vice* attached hereto as Exhibit 1.

The request will be based on this notice of application, on the attached verified application of Joseph T. Lukens,<sup>2</sup> a Certificate of Good Standing,<sup>3</sup> and on all the papers, pleadings, and records on file in this action.

Dated: August 17, 2006

Respectfully submitted,

s/ Zachary R. Davis  
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*Attorneys for Amicus Curiae National  
Association of Chain Drug Stores*

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<sup>2</sup> Attached hereto as Exhibit 2.

<sup>3</sup> Attached hereto as Exhibit 3.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CERTIFICATE OF SERVICE

This is to certify that I have this day served opposing counsel in the above-referenced matter with a copy of the foregoing **NOTICE OF APPLICATION FOR ADMISSION *PRO HAC VICE*** and accompanying documents,

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s/ Zachary R. Davis

Zachary R. Davis